

ASSEMBLY BILL

No. 2000

Introduced by Assembly Member Hagman

February 17, 2010

An act to amend Section 121690 of the Health and Safety Code, relating to rabies.

LEGISLATIVE COUNSEL'S DIGEST

AB 2000, as introduced, Hagman. Rabies: vaccinations.

Existing law requires every dog owner, after his or her dog attains the age of four months, to, at intervals of time not more often than once a year, as may be prescribed by the State Department of Public Health, procure its vaccination by a licensed veterinarian with a canine antirabies vaccine approved by, and in a manner prescribed by, the department.

This bill would exempt from the vaccination requirement the owner of a dog that a licensed veterinarian determines, on an annual basis, may have a potentially lethal reaction to the vaccination.

Existing law authorizes a city, city and county, or county to provide, by ordinance, for the issuance of a dog license for a period not to exceed three years for dogs that have attained the age of 12 months or older and have been vaccinated against rabies. The person to whom the license is issued may choose a license period as established by the governing body of up to one, 2, or 3 years, except that the license period shall not extend beyond the remaining period of validity for the current rabies vaccination.

This bill would prohibit, in the event that a dog is exempted from the vaccination requirement, the license period from extending beyond one year. By increasing the duties of local officials, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 121690 of the Health and Safety Code
2 is amended to read:
3 121690. In rabies areas, all of the following shall apply:
4 (a) Every dog owner, after his or her dog attains the age of four
5 months, shall no less than once every two years secure a license
6 for the dog as provided by ordinance of the responsible city, city
7 and county, or county. License fees shall be fixed by the
8 responsible city, city and county, or county, at an amount not to
9 exceed limitations otherwise prescribed by state law or city, city
10 and county, or county charter.
11 (b) Every dog owner, after his or her dog attains the age of four
12 months, shall, at intervals of time not more often than once a year,
13 as may be prescribed by the department, procure its vaccination
14 by a licensed veterinarian with a canine antirabies vaccine approved
15 by, and in a manner prescribed by, the department, *unless a*
16 *licensed veterinarian determines, on an annual basis, that the dog*
17 *may have a potentially lethal reaction to the canine antirabies*
18 *vaccine.*
19 (c) All dogs under four months of age shall be confined to the
20 premises of, or kept under physical restraint by, the owner, keeper,
21 or harborer. Nothing in this chapter and Section 120435 shall be
22 construed to prevent the sale or transportation of a puppy four
23 months old or younger.
24 (d) Any dog in violation of this chapter and any additional
25 provisions that may be prescribed by any local governing body
26 shall be impounded, as provided by local ordinance.
27 (e) It shall be the duty of the governing body of each city, city
28 and county, or county to maintain or provide for the maintenance

1 of a pound system and a rabies control program for the purpose
2 of carrying out and enforcing this section.

3 (f) It shall be the responsibility of each city, county, or city and
4 county to provide dog vaccination clinics, or to arrange for dog
5 vaccination at clinics operated by veterinary groups or associations,
6 held at strategic locations throughout each city, city and county,
7 or county. The vaccination and licensing procedures may be
8 combined as a single operation in the clinics. No charge in excess
9 of the actual cost shall be made for any one vaccination at a clinic.
10 No owner of a dog shall be required to have his or her dog
11 vaccinated at a public clinic if the owner elects to have the dog
12 vaccinated by a licensed veterinarian of the owner's choice.

13 All public clinics shall be required to operate under antiseptic
14 immunization conditions comparable to those used in the
15 vaccination of human beings.

16 (g) In addition to the authority provided in subdivision (a), the
17 ordinance of the responsible city, city and county, or county may
18 provide for the issuance of a license for a period not to exceed
19 three years for dogs that have attained the age of 12 months or
20 older and have been *either vaccinated against rabies or exempted*
21 *from the vaccination requirement pursuant to subdivision (b)*. The
22 person to whom the license is issued pursuant to this subdivision
23 may choose a license period as established by the governing body
24 of up to one, two, or three years. However, when issuing a license
25 pursuant to this subdivision, the license period shall not extend
26 beyond the remaining period of validity for the current rabies
27 vaccination *and, in the event that a dog is exempted from the*
28 *vaccination requirement pursuant to subdivision (b), the license*
29 *period shall not extend beyond one year*. A dog owner who
30 complies with this subdivision shall be deemed to have complied
31 with the requirements of subdivision (a).

32 (h) All information obtained from a dog owner by compliance
33 with this chapter is confidential to the dog owner and proprietary
34 to the veterinarian. This information shall not be used, distributed,
35 or released for any purpose, except to ensure compliance with
36 existing federal, state, county, or city laws or regulations.

37 SEC. 2. If the Commission on State Mandates determines that
38 this act contains costs mandated by the state, reimbursement to
39 local agencies and school districts for those costs shall be made

- 1 pursuant to Part 7 (commencing with Section 17500) of Division
- 2 4 of Title 2 of the Government Code.

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